

**COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

JAMES T. UREN, et al. : Case No. A1406892
Plaintiffs : Judge J. Patrick Foley III
vs. :
WILLIAM SCOVILLE, et al. :
Defendants. :

CERTIFICATE OF MAILING

Plaintiffs, James T. Uren and Josephine Khoo-Smith, by and through counsel, hereby certify that on August 26, 2020, the Notice attached hereto as Exhibit A was served on all members of the Class via electronic mail and/or regular U.S. Mail.

Respectfully submitted,

/s/ Brian P. O'Connor
Charles E. Reynolds (0019935)
Brian P. O'Connor (0086646)
SANTEN & HUGHES
600 Vine Street, Suite 2700
Cincinnati, Ohio 45202
(513) 721-4450-ph / (513) 721-0109-fx
cer@santen-hughes.com
bpo@santen-hughes.com
Counsel for Plaintiffs



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served, this 14th day of September, 2020 upon the following via electronic mail or regular U.S. Mail, as indicated:

Paul T. Saba, Esq.
pts@sspfirm.com

Jeffrey M. Nye, Esq.
jmn@sspfirm.com

William Flax, Esq. (via regular mail)
414 Walnut Street, Suite 514
Cincinnati, Ohio 45202
Attorney for Intervening Defendants & Cross-Claimants

Attorneys for Steven Edward Schuhholz

/s/ Brian P. O'Connor

Brian P. O'Connor

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
In re: Steven Edwards, Chapter 7 Case No. 1:18-bk-130108
James T. Uren, et al. v. William Scoville, et al.,
Adversary Proceeding No, 1:18-ap-01071 2

NOTICE OF CLASS ACTION SETTLEMENT

Please be advised that in the lawsuit described above, Plaintiffs James T. Uren and Josephine Khoo-Smith (“Plaintiffs”) and Defendant Steven Schuholz (“Schuholz”) have reached a settlement (“Settlement”) that will resolve all claims by Plaintiffs and the Class (as described below) related to Schuholz and his investments with Glen Galemmo and affiliated entities, including Queen City Investment Fund, Queen City Investment Fund II, and QFC LLC or other entities. The Settlement only concerns claims against Schuholz and not claims or settlements with other defendants in this or other lawsuits.

PLEASE READ THIS NOTICE CAREFULLY BECAUSE THE SETTLEMENT MAY AFFECT YOUR LEGAL RIGHTS

A Court authorized this Notice. It is not a solicitation from a lawyer.

Who is in the Class? The Class consists of all persons and entities, individually and collectively, who invested money in or through Galemmo or his affiliated entities from January 1, 2002 to July 26, 2013 and suffered a net loss (i.e., the funds invested exceeded the total of all funds received in the form of purported income or return of principal). You are receiving this notice because you may be a member of the Class.

Who is Schuholz? Schuholz was an investor with Galemmo who, over the years of his investments, received more in distributions than the amount of their investments. Claims are pending against other defendants in this and other lawsuits. The Settlement does not affect those claims. It only concerns the claims against Schuholz.

What is the Settlement? The terms of the Settlement are described in more detail below. The terms include that Schuholz will pay \$50,000, and that all claims related to Galemmo investments by Plaintiffs or the Class against Schuholz will be settled and released.

Deadlines: If you wish to be included in the Settlement, you do not need to do anything. If you wish to object then the following deadlines apply

- Object to the Settlement – within twenty-one days from the date of this Notice.
- Attend the Bankruptcy Hearing on your objections and explain the same to the Bankruptcy Court.
- Final approval of the Settlement can occur twenty-one days after the notice if no one objects.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

PARTICIPATE IN THE SETTLEMENT	If you wish to be included in the Settlement, you do not need to take any action. If you are a member of the Class, you will be automatically included in the Settlement unless you exclude yourself.
OBJECT TO THE SETTLEMENT	If you object to the Settlement, you or your attorney must timely file a written objection to the Bankruptcy Court. If you wish to object to the Settlement, you must timely file a written objection. The deadline for filing any objection is twenty-one days from the date of this Notice.
ATTEND THE FINAL FAIRNESS HEARING	If no one objects, the Court will not hold a hearing on the fairness of the settlement and only if someone objects to the settlement will the Bankruptcy Court Hold a hearing. If there is a final hearing, you may attend the hearing but only the people who timely object may speak at the hearing.
DO NOTHING	If you do nothing and are a member of the Class, you will be included in the Settlement.

The Bankruptcy Court in charge of this case still has to decide whether to approve the Settlement, including after consideration of any objections. Do not contact the Court with questions. If you have questions about the Settlement or this Notice, you should contact Charles E. Reynolds, by mail at Santen & Hughes, 600 Vine Street, Suite 2700, Cincinnati, Ohio 45202, or by phone at 513-721-4450, or by email at cer@santen-hughes.com. Some frequently asked questions are addressed below.

1. What is this lawsuit about?

You are receiving this Notice because records available to Class Counsel indicate you invested funds with Glen Galemmo or entities affiliated with him and suffered a net loss (i.e. you invested more than was distributed to you). Mr. Galemmo perpetrated a fraudulent scheme to defraud investors, including using money from new investors to make distributions to earlier investors. Steven Schuhholz was an investor who received more in distributions than the total amount he invested (i.e., he is so-called “net winner”). Plaintiffs filed this lawsuit against Schuhholz on behalf of the Class to recover amounts paid to Schuhholz above what he invested.

The Court entered a judgment against the Schuhholz in the Class Action in the amount of \$864,534.16 (“Judgment”) and then Schulholz filed bankruptcy in the United States Bankruptcy Court, Southern District of Ohio, Case No. 1:18-bk-13108 and the Class Members sought a determination from the Bankruptcy Court that the entire Judgment was non-dischargeable by filing a complaint assigned Case No. 1:18-ap-01071. Plaintiffs (on behalf of the Class) and Schuhholz now desire to settle the claims and defenses asserted in the Adversary Proceeding in Bankruptcy.

2. Why is this a class action?

There are many former Galemmo investors. This class action against Schuholz is an attempt to resolve similar claims fairly and efficiently and to avoid possible inconsistent outcomes if the claims were brought in separate lawsuits. In a class action, the Class representatives (in this case James T. Uren and Georgeine Khoo-Smith) sue on behalf of all members of the Class. One court resolves the issues for all members of the Class, except for those who exclude themselves from the Class. The Settlement payment is for the benefit of the entire Class (except those who exclude themselves) rather than individual Plaintiffs and the Settlement proceeds are distributed only in accordance with the further orders of the Hamilton County Court of Common Pleas that presided over the Class Action and the Judgment against Schuholz. Judge J. Patrick Foley III of the Hamilton County Court of Common Pleas was and still currently is presiding over the Class Action case.

3. Why is there a settlement?

The Court did not decide in favor of Plaintiffs or Schuholz. The Plaintiffs contend they would prevail if the claims in the case proceeded to trial. Schuholz contends Plaintiffs will lose. Both Plaintiffs and Schuholz desire to avoid the expense and time of a trial. The Plaintiffs, as representatives of the entire Class, and Class Counsel (the attorneys representing members of the Class) believe the Settlement is fair to all members of the Class and in the best interest of each Class Member.

4. How do I know if I am part of the settlement?

The Court decided that everyone who fits this description is a member of the Class:

- All persons and entities, individually and collectively, who invested money in or through Galemmo or his affiliated entities from January 1, 2002 to July 26, 2013 and suffered a net loss (i.e., the funds invested exceeded the total of all funds received in the form of purported income or return of principal).

You are receiving this Notice because you have been identified by records available to Class Counsel as someone who may fall within this description.

5. What does the Settlement provide?

If the Bankruptcy Court approves the Schuholz settlement, Schuholz will make the settlement payment totaling \$50,000. Once the Bankruptcy Court approves the settlement and the payment is paid, the Bankruptcy Court will no longer have any involvement in the Case and the Adversary Case in Bankruptcy Court will be dismissed with Prejudice. Once the Bankruptcy Court is no longer involved, the Hamilton County Court of Common Pleas will control the remainder of the case. The settlement payment will be held by Class Counsel subject to supervision of the Hamilton County Court of Common Pleas and will be distributed only in accordance with further orders of the Hamilton County Court of Common Pleas. There are other cases pending against Glen Galemmo and other defendants. Plaintiffs and Class Counsel expect that the Settlement in this case will be coordinated with those in other cases so that all recoveries on behalf of Galemmo

investors are distributed fairly and consistently. If the Settlement is approved, Schuholz is released from all claims once he makes the payment described above and you will not be able to sue Schuholz in an individual lawsuit. Plaintiffs, on behalf of all members of the Class, and Class Counsel (the attorneys representing the Class) believe the Settlement is fair. The Settlement includes other terms, which are set forth in detail in the Settlement Agreement. You may obtain a copy of the Settlement Agreement by contacting Class Counsel at:

Charles E. Reynolds, Esq.
SANTEN & HUGHES
600 Vine Street, Suite 2700
Cincinnati, Ohio 45202
cer@santen-hughes.com

6. Is this the only settlement payment I will receive?

No. This settlement only concerns claims against Schuholz and Schulholz payment of \$50,000 is the only payment that he will make but there are other claims filed against other defendants seeking recovery on behalf of Galemmo investors, including a forfeiture action filed by the United States government in which distributions to injured investors are expected. While neither Plaintiffs nor Class Counsel can make promises regarding future recoveries, additional settlements are anticipated. Participating in this Settlement does not affect your right to participate in recoveries or settlements in other claims against other defendants. This settlement only settles the claims against Schuholz.

7. When will I receive a payment?

The Bankruptcy Court will only hold a hearing on the motion to approve the settlement if people timely object otherwise it will approve the Settlement. Unless you timely object, you are automatically deemed to be participating in the settlement. If the Court approves the Settlement, then Schuholz will make the payment described above within ten (10) calendar days and it will be distributed in accordance with further orders of the Hamilton County Court of Common Pleas. Plaintiffs and Class Counsel expect that payments will be coordinated with recoveries in other cases and with forfeiture proceeds collected by the United States government. It could be months before any distribution occurs. Approval of the Settlement is the first step in any distribution and the exact timing of any distribution cannot be predicted with certainty.

8. What if the Settlement is not approved?

If the Court does not approve the Settlement, the Settlement will not become effective it becomes null and void as if it never happened. Schuholz will not be obligated to make the financial payment required by the Settlement and the claims against him could proceed in the litigation.

9. What am I giving up to get a distribution from the Settlement?

Unless you timely object to the Bankruptcy Court, you are staying in the Class in exchange for the right to share in the financial distribution from the Settlement. If you do not object, you will give up your right to participate in the Bankruptcy case against Schuholz and you will be bound by the Settlement.

10. Do I have a lawyer in this case?

The Court appointed the law firm of Santen & Hughes to represent all the members of the Class. These lawyers are called Class Counsel. You will not be charged for these lawyers. As explained below, the Judge will grant them a fee award from the proceeds of the Settlement. If you want to be represented by your own lawyer, you may hire one at your own expense, but you do not need to do that to participate in the Settlement. If you exclude yourself from the Settlement, then Santen & Hughes will not be representing you because they represent only the members of the Class.

11. Do I have to pay Class Counsel?

You do not have to make an out-of-pocket payment to Class Counsel. Those lawyers will be paid from a share of the proceeds of the Settlement. If the Settlement is approved, Class Counsel will file a later request with the Court to approve payment of attorneys' fees and expenses. The fees would pay Class Counsel for investigating the facts, filing the Complaint, litigating the case, and negotiating the Settlement. Whatever amount of fees the Court approves would be deducted from the amount of the Settlement proceeds to be distributed to the Class.

12. Can I exclude myself from the Class?

Yes. If you do not wish to participate in the Settlement, you must timely object with the Bankruptcy Court and notify Class Counsel at the address below and notice to Class Counsel must be postmarked no later than September 26, 2020 to:

Charles E. Reynolds, Esq.
SANTEN & HUGHES
600 Vine Street, Suite 2700
Cincinnati, Ohio 45202

If you do not timely file the Objection with the Bankruptcy Court and send a copy of the same to Class Counsel, you will be included in the Settlement. If you do timely submit your objections, then you or your counsel will need to participate in the objections hearing before the Bankruptcy Court and the Bankruptcy Court will decide the objections and determine if there is a settlement or not.

13. If I do not object myself, can I sue Schuhholz later?

No. If you do not object and participate in the Settlement, then you are giving up your right to continue to prosecute the claims before the Bankruptcy Court.

14. If I Object, can I receive a payment from this Settlement?

No. If you object and the Bankruptcy Court rules in your favor, there will be no settlement and you cannot receive any distribution from the Settlement.

15. Can I object to the Settlement?

Yes. You can object by mailing a written objection so that it is postmarked no later than _twenty-one days from the date of this notice to:

Charles E. Reynolds, Esq.
SANTEN & HUGHES
600 Vine Street, Suite 2700
Cincinnati, Ohio 45202

Be sure to include your name, address, telephone number, your signature, the amount of your loss from Galemmo-related investments, and the reasons you object to the settlement. If you do not object in writing to the Settlement, or mail your objection late, then you will not be permitted to oppose the Settlement.

16. Do I need to mail anything if I support the Settlement?

If you support the Settlement, you do not need to do anything. You will be included in the Settlement unless you object yourself and then there may not be a settlement.

17. When and where will the Court decide whether to approve the Settlement?

The Court will only hold a hearing if someone timely objects and if so, you will be notified of the date and time of the hearing.

18. Do I have to come to the Hearing?

You are not required to attend the objections hearing. Class Counsel and counsel for Schuhholz will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you mail an objection, you are not required to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it.

19. May I speak at the hearing?

If there is a hearing, you may ask the Court for permission to speak at the hearing. The number of persons who may speak and the length of time they may speak will be determined by the Court at the hearing. If you have not mailed an objection to the Settlement then you will not be permitted to speak to raise objections to the Settlement. The purpose of this requirement is to permit Class Counsel and counsel for Schuhholz to be prepared to address any concerns about the Settlement.

20. What happens if I do nothing at all?

If you do nothing, you will remain a member of the Class, will be included in and bound by the Settlement, and will be entitled to receive a financial distribution if the Settlement is approved.

21. How do I get more information?

This Notice is only a summary of the circumstances surrounding the litigation, the Class, the Settlement, and related matters. You may seek the advice and guidance of your own private attorney, at your own expense, if you desire. For more detailed information, you may review the pleadings, records, and other papers on file in this litigation, which may be inspected during regular business hours at the United States Bankruptcy Court for the Southern District of Ohio which is located at 221 E 4th St #800, Cincinnati, OH 45202. If you wish to communicate with Class Counsel identified above, you may do so by writing to:

Charles E. Reynolds, Esq.
SANTEN & HUGHES
600 Vine Street, Suite 2700
Cincinnati, Ohio 45202
cer@santen-hughes.com

DO NOT CONTACT THE COURT. The Court cannot provide you with additional information regarding the Settlement due to ethical restrictions on contact with parties to a lawsuit.

OBJECTIONS FORM FOR SETTLEMENT AS TO DEFENDANT
STEVEN SCHUHOLZ

*In re: Steven Edwards, Chapter 7 Case No. 1:18-bk-130108
James T. Uren, et al. v. William Scoville, et al.,
Adversary Proceeding No, 1:18-ap-01071 2*

**This is NOT a claim form. This is an Objection Form to the Schuhholz settlement from this class a
DO NOT use this Form if you wish to participate in the proposed Settlement.**

Name of Class Member: _____

Address: _____
Street _____ City _____ State _____ Postal Code _____

Telephone: _____
Area Code/Phone No. (Ext. if applicable) _____

Amount of my Net Losses from Galemmo-related investments: \$ _____

I understand that by opting out, I will not be eligible to receive any money that may result from the Settlement as to Defendant Schuhholz if the proposed Settlement is approved.

If you wish to opt out of this Class Action Settlement, please check the box below

By checking this box, I affirm that I wish to be excluded from the Class in this lawsuit that is settling with Defendant Schuhholz, and that I do not wish to participate in the proposed Settlement.

Date Signed _____

Signature of Class Member or Executor, Administrator or
Personal Representative _____

To be effective as an election to opt-out of this Class Action, this Form must be completed, signed and sent by regular mail, postmarked **no later than September 26, 2020**, to the address listed below.

The consequences of returning this Form are explained in the Notice of Class Action Settlement.

If you choose to object, you must mail this Objection Form to Class Counsel at the following address, in an envelope postmarked NO LATER THAN September 26, 2020 :

Charles E. Reynolds, Esq. SANTEN & HUGHES 600 Vine Street, Suite 2700 Cincinnati, Ohio 45202

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